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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/695,571

10/28/2003

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200210160-1

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03/24/2008

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EXAMINER

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ART UNIT

PAPER NUMBER

2622

NOTIFICATION DATE

DELIVERY MODE

03/24/2008

ELECTRONIC

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**BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES**

Application Number: 10/695,571  
Filing Date: October 28, 2003  
Appellant(s): PANDIT ET AL.

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David Rodack  
For Appellant

**EXAMINER'S ANSWER**

This is in response to the appeal brief filed 12/21/2007 appealing from the Office action mailed 9/28/2007.

**(1) Real Party in Interest**

A statement identifying by name the real party in interest is contained in the brief.

**(2) Related Appeals and Interferences**

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

**(3) Status of Claims**

The statement of the status of claims contained in the brief is correct.

**(4) Status of Amendments After Final**

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

**(5) Summary of Claimed Subject Matter**

The summary of claimed subject matter contained in the brief is correct.

**(6) Grounds of Rejection to be Reviewed on Appeal**

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

**(7) Claims Appendix**

The copy of the appealed claims contained in the Appendix to the brief is correct.

**(8) Evidence Relied Upon**

2004/0004671 A1	Takahashi	1-2004
7,163,181	Omps	1-2007
2003/0075603	Ruddock et al.	4-2003

**(9) Grounds of Rejection**

The following ground(s) of rejection are applicable to the appealed claims:

**Claim 1-4, 6 and 9-19 rejected under 35 U.S.C. 102(e) as being anticipated by Takahashi, US 2004/0004671.**

**Regarding claim 1**, Takahashi discloses a system (Fig. 13) which docks a camera (Camera 510 as shown in fig. 11), comprising: a base (Fig. 13: 602); and a platform (Fig. 13: 604) configured to dock with the camera and configured to couple to the base such that the platform may be rotated relative to the base (Note that the platform rotates about the base 602 as taught in page 7, ¶ 0111-0118) about an axis of rotation (See axis of rotation as shown in figs. 13 and 14) (Page 5, ¶ 0094 – page 6, ¶ 0102; page 7, ¶ 0111-0118).

**Regarding claim 2**, Takahashi discloses that the camera, when docked to the platform, may be rotated about the axis of rotation (Page 7, ¶ 0111-0118).

**Regarding claim 3**, Takahashi discloses a connection member (Figs. 11: 608 and 14: 608) coupled to the platform (Figs. 11: 604 and 14: 604) and configured to insert into a matching recess residing in the camera (Recess having the connector 518 as shown in fig. 11) such that when the camera is docked to the platform, the camera is rigidly coupled to the connection member (Page 5, ¶ 0094 – page 6, ¶ 0102).

**Regarding claim 4**, Takahashi discloses a plurality of connectors (Fig. 14: 608 and fig. 11: 612) configured to communicatively couple the docked camera with a processing system (Computer 200 as shown in fig. 1) (Page 5, ¶ 0094 – page 6, ¶ 0102).

**Regarding claim 6**, Takahashi discloses a cavity (See platform made as a recess to fit securely the camera 510 as shown in figs. 11, 13 and 14) residing in a top surface of the platform, the cavity corresponding to the base of the camera such that when the camera is docked to the platform, the camera is rigidly coupled to the platform (Page 5, ¶ 0094 – page 6, ¶ 0102).

**Regarding claim 9**, Takahashi discloses a communication device (USB terminal 112 as shown in fig. 11), wherein the communication device uses a communication medium to communicatively couple the docked camera to a processing system (Computer 200 as shown in fig. 1) (Page 6, ¶ 0100).

**Regarding claim 10**, claim 10 is written in a Markush type by using the expression “comprises at least one selected from a group consisting of a wire connection medium, an infrared medium, a cable medium, a microwave medium, a radio frequency (RF) medium, an intermediary communication system may be

employed, a telephony system medium and an Internet medium”, meeting one species of a genus family anticipates the claimed subject matter. “A generic claim cannot be allowed to an applicant if the prior art discloses a species falling within the claimed genus.” The species in that case will anticipate the genus. In re Slayter, 276 F.2d 408, 411, 125 USPQ 345, 347 (CCPA 1960); In re Gosteli, 872 F.2d 1008, 10 USPQ2d 1614 (Fed. Cir. 1989).

Takahashi discloses that the communication medium comprises a wire connection medium (USB cable 210 as shown in fig. 1 using USB terminal 112 as shown in fig. 11) (Page 2, ¶ 0040; page 6, ¶ 0100).

**Regarding claim 11**, Takahashi discloses a method for docking a camera (Camera 510 as shown in fig. 11), the method comprising the steps of: coupling the camera to a docking station platform (see docking station platform 604 of docking station 700 as shown in Fig. 13); and rotating the camera relative to the base and about an axis of rotation (See axis of rotation as shown in figs. 13 and 14; note that the platform rotates about the base 602 as taught in page 7, ¶ 0111-0118), the rotation permitted by the docking station platform configured to couple to a docking station base such that the docking station platform may be rotated about the axis of rotation (Page 5, ¶ 0094 – page 6, ¶ 0102; page 7, ¶ 0111-0118).

**Regarding claim 12**, Takahashi discloses the step of communicating information from the camera to a processing system (with USB cable 210 as shown in fig. 1 using USB terminal 112 as shown in fig. 11 to communicate to computer 200 shown in fig. 1) (Page 2, ¶ 0040; page 5, ¶ 0094 – page 6, ¶ 0102).

**Regarding claim 13**, Takahashi discloses the step of communicating further comprises the step of communication with a communication medium used by a communication device (USB cable 210 as shown in fig. 1 using USB terminal 112 as shown in fig. 11) (Page 2, ¶ 0040; page 6, ¶ 0100).

**Regarding claim 14**, claim 14 is written in a Markush type by using the expression “comprises at least one selected from a group consisting of a wire connection medium, an infrared medium, a cable medium, a microwave medium, a radio frequency (RF) medium, an intermediary communication system may be employed, a telephony system medium and an Internet medium”, meeting one species of a genus family anticipates the claimed subject matter. “A generic claim cannot be allowed to an applicant if the prior art discloses a species falling within the claimed genus.” The species in that case will anticipate the genus. In re Slayter, 276 F.2d 408, 411, 125 USPQ 345, 347 (CCPA 1960); In re Gosteli, 872 F.2d 1008, 10 USPQ2d 1614 (Fed. Cir. 1989).

Takahashi discloses that the communication medium comprises at least one selected from a group consisting of a wire connection medium (USB cable 210 as shown in fig. 1 using USB terminal 112 as shown in fig. 11) (Page 2, ¶ 0040; page 6, ¶ 0100).

**Regarding claim 15**, Takahashi discloses a system (Fig. 13) for docking a camera (Camera 510 as shown in fig. 11), comprising: means (See platform 605 made as a recess to fit securely the camera 510 as shown in fig. 13) for physically coupling the camera to a docking station platform; means (Fig.14: 608) for communicatively

coupling the camera to a docking station platform; and means (Fig. 13: 702) for rotating the camera relative to a docking station base and about an axis of rotation (note that the platform rotates about the base 602 as taught in page 7, ¶ 0111-0118), the rotation permitted by the docking station platform configured to couple to the docking station base such that the docking station platform may be rotated about the axis of rotation (See axis of rotation as shown in figs. 13 and 14) (Page 5, ¶ 0094 – page 6, ¶ 0102; page 7, ¶ 0111-0118).

**Regarding claim 16**, Takahashi discloses rigidly coupling the camera to the docking station platform (using connection member 608 to be connected to connection terminal 518; see Figs. 11 and 14) (Page 5, ¶ 0094 – page 6, ¶ 0102).

**Regarding claim 17**, Takahashi discloses means for communicating information from the camera to a processing system (with USB cable 210 as shown in fig. 1 using USB terminal 112 as shown in fig. 11 to communicate to computer 200 shown in fig. 1) (Page 2, ¶ 0040; page 6, ¶ 0100).

**Regarding claim 18**, Takahashi discloses that the means for communicating further comprises means for communicating with a communication medium used by a communication device (USB cable 210 as shown in fig. 1 using USB terminal 112 as shown in fig. 11) (Page 2, ¶ 0040; page 6, ¶ 0100).

**Regarding claim 19**, claim 19 is written in a Markush type by using the expression “comprises at least one selected from a group consisting of a wire connection medium, an infrared medium, a cable medium, a microwave medium, a radio frequency (RF) medium, an intermediary communication system may be



employed, a telephony system medium and an Internet medium”, meeting one species of a genus family anticipates the claimed subject matter. “A generic claim cannot be allowed to an applicant if the prior art discloses a species falling within the claimed genus.” The species in that case will anticipate the genus. In re Slayter, 276 F.2d 408, 411, 125 USPQ 345, 347 (CCPA 1960); In re Gosteli, 872 F.2d 1008, 10 USPQ2d 1614 (Fed. Cir. 1989).

Takahashi discloses that the communication medium comprises a wire connection medium (USB cable 210 as shown in fig. 1 using USB terminal 112 as shown in fig. 11) (Page 2, ¶ 0040; page 6, ¶ 0100).

**Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Takahashi, US 2004/0004671 in view of Omps, US Patent 7,163,181 B2.**

**Regarding claim 5**, Takahashi does not explicitly disclose at least one leg coupled to the base.

However, Omps teaches a system (Figs. 1 and 2) which docks a camera (Fig. 1: 12), comprising: a base (Fig. 1: 18); and a platform (connector structure 28 as shown in fig. 1) configured to dock with the camera and configured to couple to the base (See fig. 1, the platform is coupling to the base using positioning member) such that the platform may be rotated relative to the base and about an axis of rotation. Omps also discloses that the base is connected to a support system such as a tripod (See fig. 1: 14) (Col. 4, line 55 – col. 5, line 48).

Therefore, taking the combined teaching of Takahashi in view of Omps as a whole, it would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify Takahashi to have the system including a tripod to raise the camera to a predetermined height. The motivation to do so would have been to maintain the camera in a steady position in order to capture images without blurring caused by handshake.

**Claims 7, 8 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takahashi, US 2004/0004671 in view of Rudduck, US 2003/0075603 A1.**

**Regarding claim 7**, Takahashi does not explicitly disclose that the platform further comprises a pedestal platform, the pedestal platform configured to dock the camera and to display marketing devices placed on the pedestal platform.

However, Rudduck teaches a display console (See figs. 1, 5, 8, 9, 9A and 10) comprising a pedestal platform (Figs. 1: 12; 8: 68 and 10: 68) for docking or placing merchandise (wrist watch or any other object for sale), said pedestal platform comprises connection means to secure in place the object being docketed or place in said pedestal platform and wherein said pedestal platform comprising a space wherein a display (Figs. 8: 80 and 10: 80) is placed to display marketing device serving as an interface to perform transaction between customer and store related to the product being purchased (Page 4, ¶ 0080; page 5, ¶ 0085-0087 and 0093; page 6, ¶ 0100-0104). Rudduck discloses that although the invention is disclosed to certain objects being in the pedestal, the invention is not limited to those specific objects and can be done to any other product (Page 1, ¶ 0020).

Therefore, taking the combined teaching of Takahashi in view of Rudduck as a whole, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Takahashi by having a pedestal platform, the pedestal platform configured to dock the camera and to display marketing devices placed on the pedestal platform. The motivation to do so would have been to enable a customer to obtain the necessary information of a product of interest before making a decision of buying it as suggested by Rudduck (Page 6, ¶ 0099-0101).

**Regarding claim 8**, the combined teaching of Takahashi in view of Rudduck as applied to claim 8, teaches a pedestal base; and a plurality of pedestal platforms wherein a plurality of cameras may be docked (See Rudduck, a plurality of pedestal platforms (See, fig. 10; platform pedestal shown in fig. 9: 66); the Takahashi in view of Rudduck combination would suggest the pedestal base having a plurality of pedestal platforms wherein a plurality of cameras may be docked). Grounds for rejecting claim 8 apply here.

**Regarding claim 20**, limitations have been discussed in claim 8.

#### **(10) Response to Argument**

**Regarding appellant's arguments for claim 1**, appellant argues that Takahashi does not disclose, teach, or suggest ***a platform configured to dock with the camera and configured to couple to the base*** such that the platform may be rotated relative to the base and about an axis of rotation.

The Examiner disagrees. As explained in the Advisory Action mailed on 9/28/2007, that by teaching the coupling portion 702 between the camera mounting unit 604 (read as a platform by the Examiner) and the leg portion 602 (read as a base by the Examiner) as shown in fig. 13 and discussed in page 7, ¶ 0112, Takahashi discloses a platform (604) configured to dock with the camera (fig. 11: 510) and configured to couple to the base (602) such that the platform (604) may be rotated relative to the base (602) and about an axis of rotation (Note that the platform rotates about the base 602 as taught in page 7, ¶ 0111-0118); See also axis of rotation as shown in figs. 13 and 14 (See also page 5, ¶ 0094 – page 6, ¶ 0102; page 7, ¶ 0111-0118)). The Examiner understands that Takahashi discloses that said platform is configured to couple to the base by having said coupling portion (702) between the leg portion (base) and the camera mounting unit (platform). Also, in the Advisory Action mailed on 9/28/2007, the Examiner supported his interpretation with the definition of the word coupling from *The American Heritage College Dictionary* (Fourth Edition, 2002) which defines the word “**coupling**” as *a device that link or connect*; and also defines the word “**couple**” as 1) a link; 2) *Something that joins or connect two things together*. This definition was used to reach the conclusion that by having said coupling portion between the base and the platform, Takahashi discloses that the platform is configured to dock with the camera and is also configured to couple to the base by using said coupling portion as defined in the Advisory Action.

Appellant further argues that the term “couple” as defined by the Examiner in the Advisory Action mailed on 9/28/2007 appears to refer to a noun and the term “couple” in

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claim 1 is a verb, and argues that the attempt to equate the terms from the *American Heritage College Dictionary* with the claim language is based on a faulty grammatical premise, and hence in error.

The Examiner points out that as discussed in the Advisory Action, the term couple is defined with the purpose of illustrating the function of the coupling portion 702 in order to indicate that in Takahashi, by using the coupling portion the camera mounting unit (platform) is configured to couple to the leg (base). The fact that the definition of the term couple in the Advisory Action refers to a noun and not a verb is irrelevant since said definition clearly states the function of said noun (*Something that joins or connects two things together*). The Examiner points out that the claim as presented reads on the Takahashi reference since the claim is not clear on how the platform is configured to couple. Therefore, the Examiner understands that the Takahashi reference reads on all the limitations as presented in claim 1 as interpreted by the Examiner.

**Regarding appellant's arguments for claim 11**, the Examiner points out to the response to arguments in regard to claim 1. Thus, the Takahashi reference discloses the limitations "rotating the camera relative to the base and about an axis of rotation (See axis of rotation as shown in figs. 13 and 14; note that the platform rotates about the base 602 as taught in page 7, ¶ 0111-0118) the rotation permitted by the docking station platform (camera mounting unit 604) configured to couple (by using the coupling portion 702 as shown in fig. 13 and discussed in the response to arguments in regards to claim 1) to a docking station base (602) such that the docking station platform may be

rotated about the axis of rotation (note that the platform 604 rotates about the base 602 as shown I fig. 13; page 7, ¶ 0111-0118)". As discussed in claim 1, the Examiner points out that the claim as presented reads on the Takahashi reference since the claim is not clear on how the platform is configured to couple. Therefore, the Examiner understands that the Takahashi reference reads on all the limitations as presented in claim 1 as interpreted by the Examiner.

**Regarding appellant's arguments for claim 15**, the Examiner points out to the response to arguments in regard to claim 1. Thus, the Takahashi reference discloses the limitations "means (Fig. 13: 702) for rotating the camera (510) relative to a docking station base (leg 602) and about an axis of rotation (See axis of rotation as shown in figs. 13 and 14; note that the platform rotates about the base 602 as taught in page 7, ¶ 0111-0118), the rotation permitted by the docking station platform (camera mounting unit 604) configured to couple (by using the coupling portion 702) to the docking station base (602) such that the docking station platform may be rotated about the axis of rotation (note that the platform 604 rotates about the base 602 as shown I fig. 13; page 7, ¶ 0111-0118)". As discussed in claim 1, the Examiner points out that the claim as presented reads on the Takahashi reference since the claim is not clear on how the platform is configured to couple. Therefore, the Examiner understands that the Takahashi reference reads on all the limitations as presented in claim 1 as interpreted by the Examiner.

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**(11) Related Proceeding(s) Appendix**

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

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/NELSON D. HERNANDEZ/

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